




SO ORDERED.

SIGNED this 14 day of April, 2023.



Joseph N. Callaway
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE DIVISION**

IN RE:

**EARL CLEVIN CRAIG, JR.,

DEBTOR.**

**CASE NO. 23-01018-5-JNC
CHAPTER 13**

ORDER ALLOWING APPLICATION TO PAY FILING FEE IN INSTALLMENTS

This matter comes before the court upon the Application to Pay Filing Fee in Installments (Dkt. 8; the "Installment Application") filed by Earl Clevin Craig, Jr. (the "Debtor"), on April 13, 2023. The court makes the following findings of fact and conclusions of law:

1. This matter is a core proceeding pursuant to 28 U.S.C. § 157, and the court has jurisdiction pursuant to 28 U.S.C. §§ 151, 157, and 1334. The court has the authority to hear this matter pursuant to the General Order of Reference entered August 3, 1984, by the United States District Court for the Eastern District of North Carolina.

2. The Debtor filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code on April 13, 2023.

3. The Debtor paid \$0.00 of the required \$313.00 filing fee in this case. The balance of \$313.00 remains due.

4. The Debtor had filed a previous voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code on November 17, 2022 (Case No. 22-02640-5-JNC), which was automatically dismissed on January 4, 2023, for the Debtor's failure to provide documents as required by 11 U.S.C. § 521(a).

5. Subsequent to the automatic dismissal of the Debtor's previous case, an Order (Dkt. 29 in Case No. 22-02640-5-JNC) was entered directing the Debtor to immediately pay the bankruptcy petition filing fee in the amount of \$313.00, which was still due and owing.

6. The Debtor states he can pay the filing fees in the current case in four (4) monthly installments, which is acceptable.

THEREFORE, IT IS ORDERED AND DECREED as follows:

1. The Installment Application is allowed as amended below.

2. The Debtor is directed to pay the \$313.00 filing fee for this case as well as the \$313.00 filing fee from the Debtor's previous case, totaling an amount of \$626.00, which the Debtor must pay as follows:

- a. The sum of \$156.50 on or before Friday, May 5, 2023;
- b. The sum of \$156.50 on or before Friday, June 2, 2023;
- c. The sum of \$156.50 on or before Friday, July 7, 2023; and
- d. The sum of \$156.50 on or before Friday, August 4, 2023.

3. The first two monthly fee installment payments coming due on May 5, 2023, and June 2, 2023, respectively, shall be applied in satisfaction of the Debtor's current chapter 13 case (Case No. 23-01018-5-JNC), and the remaining two monthly fee installment payments coming due on July 7, 2023, and August 4, 2023, respectively, shall be applied in satisfaction of the Debtor's previous chapter 13 case (Case No. 22-02640-5-JNC).

4. Each installment payment listed above **must be physically received** by the Office of the Clerk of the U.S. Bankruptcy Court located in Raleigh, North Carolina, in good funds, by 4:30 pm EST on the stated deadlines, the physical and mailing addresses thereof being:

Physical Address: U.S. Bankruptcy Court
Office of the Clerk of Court
Century Station Federal Building
300 Fayetteville St., 4th Floor
Raleigh, NC 27601-1799

Mailing Address: U.S. Bankruptcy Court
Office of the Clerk of Court
P.O. Box 791
Raleigh, NC 27602-0791

5. Should the Debtor fail to pay any of the listed monthly fee installment payments in a timely manner, or should the fee installment payments otherwise not be received by the Clerk of Court at the address noted above by the scheduled dates, a show cause order will be issued and scheduled for hearing.

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